

David E. Newman, SBN 233263
 NATURAL RESOURCES DEFENSE COUNCIL
 111 Sutter Street, 20th Floor
 San Francisco, CA 94104
 Telephone: (415) 875-6100
 Fax: (415) 875-6161
 Email: dnewman@nrdc.org

Attorney for Plaintiffs

Kristen Byrnes Floom, DC Bar No. 469615
 UNITED STATES DEPARTMENT OF JUSTICE
 Environment and Natural Resources Division
 Benjamin Franklin Station
 P.O. Box 7369
 Washington, D.C. 20044-7369
 Telephone: (202) 305-0340
 Fax: (202) 305-0275
 Email: kristen.floom@usdoj.gov

Attorney for Federal Defendants

James P. Walsh, SBN 184620
 DAVIS WRIGHT TREMAINE LLP
 One Embarcadero Center, Suite 600
 San Francisco, CA 94111-3611
 Telephone: (415) 276-6500
 Fax: (415) 276-6599
 Email: budwalsh@dwt.com

Attorney for Defendant-Intervenor

**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

NATURAL RESOURCES DEFENSE COUNCIL,

Plaintiffs,

v.

NATIONAL MARINE FISHERIES SERVICE et al.,

Defendants.

Case No. C 04-1370 CRB

**STIPULATION OF
 VOLUNTARY
 DISMISSAL AND
 PROPOSED ORDER**

1 The parties in the above-captioned case, by their respective attorneys, hereby stipulate
2 that the action be dismissed without prejudice to either party, and that an order to that effect
3 accordingly may be made and entered without further notice.
4

5 Respectfully submitted,

6 s/ David E. Newman

7 David E. Newman, SBN 233263
8 NATURAL RESOURCES DEFENSE COUNCIL
9 Attorney for Plaintiffs

10 s/ Kristen Byrnes Floom

11 Kristen Byrnes Floom, DC Bar No. 469615
12 UNITED STATES DEPARTMENT OF JUSTICE
13 Attorney for Federal Defendants

14 s/ James P. Walsh

15 James P. Walsh, SBN 184620
16 DAVIS WRIGHT TREMAINE LLP
17 Attorney for Defendant-Intervenor

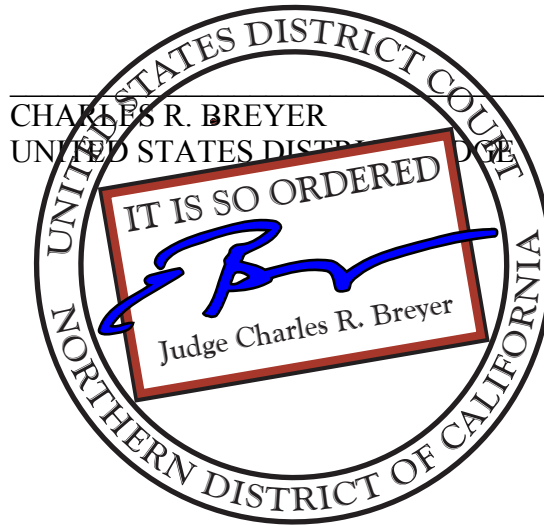
18 Dated: June 23, 2006
19
20
21
22
23
24
25
26
27
28

**STIPULATION OF VOLUNTARY DISMISSAL AND PROPOSED ORDER – Case No. C
04-1370**

PROPOSED ORDER

The Court hereby dismisses the above-captioned case without prejudice to either party.
IT IS SO ORDERED.

Dated: June 28, 2006



**STIPULATION OF VOLUNTARY DISMISSAL AND PROPOSED ORDER – Case No. C
04-1370**